

Sixth Appellate District

San Jose, California

MONDAY, AUGUST 10, 1998

H017195 PEOPLE v. BRAUCH

The appeal is dismissed. (not published)
(Elia, J.; We concur: Premo, Acting P.J., Wunderlich, J.)
Filed August 10, 1998

H017570 STATE FARM MUTUAL AUTOMOBILE INSURANCE CO. v. ST.
GERMAIN, et al.

The judgment is reversed. The parties shall bear their own
costs on appeal. (not published)
(Elia, J.; We concur: Premo, Acting P.J., Wunderlich, J.)
Filed August 10, 1998

TUESDAY, AUGUST 11, 1998

H016508 REILAND v. TIPAZ, INC., et al.

The factual findings appearing in paragraphs 2, 6, 7, and 17
are stricken from from the judgment. In all other respects the
judgment is affirmed. Costs on appeal are awarded to respondent.
(not published)
(Mihara, J.; We concur: Cottle, P.J., Bamattre-Manoukian, J.)
Filed August 11, 1998

H016672 PEOPLE v. WHITE

The judgment is affirmed. (not published)
(Wunderlich, J.; We concur: Premo, Acting P.J., Elia, J.)
Filed August 11, 1998

WEDNESDAY, AUGUST 12, 1998

H017922 PEOPLE v. NIBLETT

Counsel's motion to withdraw, which was deferred pending
consideration of the merits of this appeal, is granted. The
judgment is affirmed. (not published)
(Elia, J.; We concur: Premo, Acting P. J., Wunderlich, J.)
Filed August 12, 1998

H018247 PEOPLE v. O'TOOLE

The judgment is affirmed. (not published)
(Cottle, P.J.; We concur: Bamattre-Manoukian, J., Mihara, J.)
Filed August 12, 1998

H016874 IN RE ESTATE OF COCKE III; MOBERG v. COCKE

The "Judgment on Cross-Complaint for Allocation of Debts,
Reimbursement and Indemnity," filed April 11, 1997, is affirmed.
(not published)
(Cottle, P.J.; We concur: Bamattre-Manoukian, J., Mihara, J.)
Filed August 12, 1998

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Thursday, August 12, 1998 (continued)

H017578 PEOPLE v. JOSEPH H.

The jurisdictional and dispositional orders are affirmed.
(not published)
(Cottle, P.J.; We concur: Bamattre-Manoukian, J., Mihara, J.)
Filed August 12, 1998

H016929 PEOPLE v. MUNGAI

By the Court*:

Appellant's petition for rehearing is denied.
Dated August 12, 1998 Cottle, P.J.
*Before Cottle, P.J., and Mihara, J.

H015226 & H015990 PEOPLE v. LILLY

By the Court*:

Appellant's petition for rehearing is denied.
Dated August 12, 1998 Cottle, P.J.
*Before Cottle, P.J., and Mihara, J.

THURSDAY, AUGUST 13, 1998

H016803 INDEPENDENT ELECTRIC SUPPLY v. MEYERS, et al.

(Filed order modifying opinion.) Appellant's petition for
rehearing is denied. There is no change in the judgment. (not
published)
(Wunderlich, J.; Premo, Acting P.J.;)
Filed August 13, 1998

H017302 PEOPLE v. LEONEL P., A Minor

The judgment is affirmed. (not published)
(Mihara, J.; We concur: Cottle, P.J., Bamattre-Manoukian, J.)
Filed August 13, 1998

H017220 PEOPLE v. KENNETH P., A Minor

The judgment is affirmed. (not published)
(Mihara, J.; We concur: Cottle, P.J., Bamattre-Manoukian, J.)
Filed August 13, 1998

H018100 PEOPLE v. MATHEWS

H018435 MATHEWS ON HABEAS

The judgment is affirmed. (not published)
(Mihara, J.; We concur: Cottle, P.J., Bamattre-Manoukian, J.)
Filed August 13, 1998

H014496 ASH v. T.D. SERVICE CO., et al.

By the Court*:

Appellant's petition for rehearing is denied.
Dated August 13, 1998 Cottle, P.J.
*Before Cottle, P.J., and Bamattre-Manoukian, J.

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FRIDAY, AUGUST 14, 1998

H017582 CUTLER v. SCHNEIDER, et al.

The order granting the petition for injunction prohibiting harassment is affirmed. Costs on appeal to plaintiff. The matter is remanded to the trial court for a determination of plaintiff's entitlement to attorney's fees under section 527.6, subdivision (i), and the appropriate amount. (not published)
(Cottle, P.J.; We concur: Bamattre-Manoukian, J., Mihara, J.)
Filed August 14, 1998

H014588 ASH v. CAMERON & DREYFUSS, et al.

H016163 ASH v. MACKIN, et al.

By the Court*:

Appellant's petition for rehearing is denied.

The request for judicial notice is granted.

Dated August 14, 1998

Cottle, P.J.

*Before Cottle, P.J., Bamattre-Manoukian, J., and Mihara, J.

H015439 PEOPLE v. HARLEY, et al.

By the Court*:

Appellants Harley and Kolacki's petitions for rehearing are denied.

Dated August 14, 1998

Premo, Acting P.J.

*Before Premo, Acting P.J., and Wunderlich, J.

The Court met at San Jose City Council Chambers, 801 N. First Street, 2nd Floor, San Jose, California. Present: Premo, Acting P.J.; Elia, J., Wunderlich, J.; and Nancy M. Olea, Deputy Clerk.

H017583 GAST v. LAGOD

Cause called and argued by appellant Una Gast, appearing in pro per and by Marjorie Thompson appearing for respondents. Cause ordered submitted.

H017424 PEOPLE v. BARAY

Cause called and argued by Michael Kresser appearing for appellant and by Gregg Zywicke, Deputy Attorney General, appearing for respondent. Cause ordered submitted.

H016074 PEOPLE v. WROBLEWSKI

Cause called and argued by John A. Halley appearing for appellant and by Gregg E. Zywicke, Deputy Attorney General, appearing for respondents. Cause ordered submitted.

H016908 PEOPLE v. CLARK

Cause called and argued by Dallas Sacher appearing for appellant and by Gregg E. Zywicke, Deputy Attorney General, appearing for respondents. The court directs Dallas Sacher to

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file a letter brief within 5 days, at which time the case will be submitted. Court recesses.

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Friday, August 14, 1998 (continued)

The Court reconvened at 1:30 p.m. at the San Jose City Council Chambers, 801 N. First Street, 2nd Floor, San Jose, California. Present: Premo, Acting P.J.; Elia, J., Wunderlich, J.; and David Clark, Deputy Clerk.

H016559 PEOPLE v. HIMMELBERGER

H017620 IN RE HIMMELBERGER ON HABEAS CORPUS

Cause called and argued by Marcia Levine appearing for appellant and by Eric Christofferson, Deputy Attorney General, appearing for respondent. Cause ordered submitted.

H015556 PEOPLE v. BONILLA, et al.

Cause called and argued by Aurthur Dudley appearing for appellant Bonilla, and by Mark Greenberg appearing for appellant Garcia, and by Jeffrey Laurence, appearing for respondent. Cause ordered submitted.

H016985 LONG v. GREEN VALLEY DISPOSAL, et al.,

Cause called and argued by Bradley Bening appearing for appellants and by Karen Marcus appearing for appellants and by David Sylva appearing for respondent. Cause ordered submitted. Court is adjourned.

H016964 PEOPLE v. DANIEL SALAZAR

The judgment is affirmed. (not published)
(Premo, Acting P.J.; We concur: Elia, J., Wunderlich, J.)
Filed August 14, 1998

H016861 ENSONIQ CORPORATION v. SUPERIOR COURT; DATTORO

Let a peremptory writ of mandate issue, directing respondent superior court to (1) vacate its order of April 17, 1997, that the hearing on Dattoro's motion to return property will be held in conformance with the procedures outlined in McGraw, supra, 100 Cal.App.3d 154; and (2) enter a new and different order granting the motion to return property and returning actual possession of the items seized pursuant to search warrant no. 96-038 to Dattoro. Each party to this writ proceeding is to bear his or its own costs. (published)
(Cottle, P.J.; We concur: Cottle, P.J., Bamattre-Manoukian, J.)
Filed August 14, 1998